IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY THIRD DAY OF NOVEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

AND
THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.24817 2005

Between:

Kona Babu Rao, S/o.Appa Rao,

Aged about 39 years, Occu: Unemployee,

R/o.D.Laxmipuram,

Nakkipalli Mandal, Visakhapatnam Dist.

..... PETITIONER

AND

Government of Andhra Pradesh,

Rep. by its Secretary,

Education Department,

Secretariat, Hyderabad and another.

....RESPONDENTS

THE HON'BLE MR JUSTICE

J.CHELAMESWAR

AND
THE HON'BLE MR JUSTICE

RAMESH RANGANATHAN

WRIT PETITION No.24817 OF 2005

O R D E R

(Per Sri Justice J.Chelameswar)

Aggrieved by the order dated 05.08.2005 in O.A.No.2322 of 2001 passed by the A.P. Administrative Tribunal, by which the O.A. was dismissed on the ground that A.P. College Service Commission was not shown as party, the unsuccessful applicant therein preferred the present writ petition.

Heard the learned counsel for the petitioners. When the matter is taken up, learned counsel for the 2nd respondent-A.P.Public Service Commission and also the learned Government Pleader appearing for the 1st and 3rd respondents categorically stated that the A.P. College Service Commission is no more in existence as on today and it was in existence when the writ petitioner had earlier approached the A.P. Administrative Tribunal by way of O.A.No.6882 of 1998 and the functions of the A.P.College Service Commission are being discharged by the 2nd respondent herein as at present. In the circumstances, we are of the opinion that the order of the Tribunal is liable to be set aside and the O.A. is required to be heard and disposed of on merits.

Accordingly, the Writ Petition is allowed and the order of the Tribunal in O.A.No.2322 of 2001, dated 05.08.2005 is set aside and the matter is remitted to the Tribunal for disposal on merits, in accordance with law.

JUSTICE J.CHELAMESWAR

JUSTICE RAMESH RANGANATHAN

23rd NOVEMBER, 2005

PGS

THE HON'BLE MR JUSTICE

J.CHELAMESWAR

AND
THE HON'BLE MR JUSTICE

RAMESH RANGANATHAN

WRIT PETITION No.24817 OF 2005

(Per Sri Justice J.Chelameswar)

23rd NOVEMBER, 2005